

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2018 / 2019

DBL5018 – BUSINESS LAW

(For Diploma Students Only)

22 OCTOBER 2018

2.30 p.m. – 4.30 p.m.

(2 Hours)

INSTRUCTIONS TO STUDENT

1. This question paper consists of 2 pages with 4 questions.
2. Answer all questions.
3. You are required to cite relevant provisions and case laws.
4. Write all your answers in the Answer Booklet provided.

QUESTION 1

- a) The objective of contract of sale of goods is to transfer the ownership of the goods to the buyer for money consideration. Define the following:
- (i) Sale (2 marks)
 - (ii) Agreement to sell (2 marks)
 - (iii) Price (2 marks)
- b) Explain the formation of contract of sale of goods. (5 marks)
- c) Based on Sale of Goods Act 1957 state all implied terms in contract of sale of goods. (14 marks)

[Total : 25 Marks]

QUESTION 2

- a) Alvin owned a house near Pengkalan Balak, Malacca. He intended to sell the house since he will be moving to Johor Bahru. He met his best friend Rajesh and offered to sell his house to him with the price of RM300 000.00. Rajesh told Alvin that he agreed to buy the house but with a lower price which is RM 280 000.00. Without saying anything to Rajesh, Alvin offered Aida to sell his house with the same price he offered to Rajesh and Aida accepted the offer. One week later, Rajesh knew about the matter and became so furious. Rajesh threatens to sue Alvin for breach of contract as he argued that Alvin cannot make another offer to Aida when the offer already been made to him.

As a lawyer, advise Alvin whether the contract between Rajesh and him is valid. (10 marks)

- b) Discuss the capacity in contract. (9 marks)
- c) List down the following:
- (i) Any **FOUR (4)** types of invitation to treats. (4 marks)
 - (ii) Any **TWO (2)** exceptions for a minor to enter into a contract. (2 marks)

[Total : 25 Marks]

Continued...

QUESTION 3

- a) Briefly explain the jurisdictions for all superior courts. (10 marks)
- b) Ferhad has committed an offence involving robbery. State which court has the jurisdictions on Ferhad's case and explain the jurisdictions of the said court. (9 marks)
- c) In brief, explain the civil jurisdictions for session court. (6 marks)

[Total : 25 Marks]**QUESTION 4**

- a) Discuss the appointment of auditors in public company. (15 marks)
- b) Recently, Skull Sdn. Bhd. has terminated its auditor due to breach of duty. Then, one of the shareholders made a proposal to appoint Tom as the replacement. All the shareholders agreed on the proposal even though they knew that Tom has been declared bankrupt by the court on 2017. They argued that the bankruptcy status will not affect Tom credibility as a good auditor.

Advise Tom on whether he is qualified to become an auditor for Skull Sdn. Bhd. (10 marks)

[Total : 25 Marks]**End of Page.**